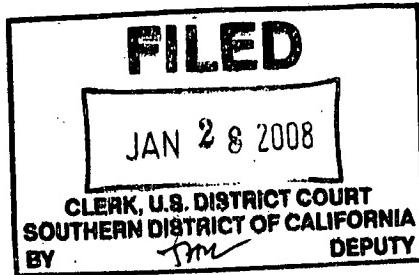


1052



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

**'08 MJ 8072**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Victor NAVA-Alcaraz

Defendant.

} Magistrate Case No.:

} COMPLAINT FOR VIOLATION OF

} 21 U.S.C. § 952 and 960  
Importation of a Controlled Substance  
(Felony)

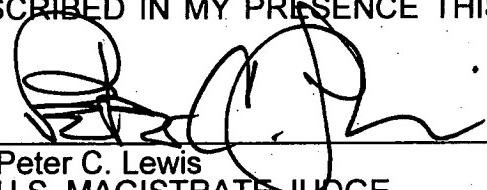
The undersigned complainant being duly sworn states:

On or about January 26, 2008, within the Southern District of California, defendant Victor NAVA-Alcaraz did knowingly and intentionally import approximately 52.90 kilograms (116.38 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

  
Donald E. Webster  
Special Agent  
U.S. Immigration & Customs  
Enforcement

SWORN TO, BEFORE ME, AND SUBSCRIBED IN MY PRESENCE THIS 28<sup>th</sup>  
DAY OF January, 2008.

  
Peter C. Lewis  
U.S. MAGISTRATE JUDGE

1           **UNITED STATES OF AMERICA**

2           **v.**

3           **Victor NAVA-Alcaraz**

4

5           **STATEMENT OF FACTS**

6           This complaint is based upon the personal observations, investigation and  
7 information provided to U.S. Immigration and Customs Enforcement Special Agent Don  
8 E. Webster.

9

10          On January 26, 2008, at approximately 1512 hours, Victor NAVA-Alcaraz entered  
11 the United States from Mexico at the Calexico, California East Port of Entry. NAVA was  
12 the driver and sole occupant of a 1991 Acura Integra bearing US/CA license plates  
13 5UBW506. United States Customs and Border Protection Officer Bosquet took a  
14 negative Customs declaration from NAVA. NAVA claimed he was a United States  
15 citizen and presented a California identification card. Officer Bosquet asked NAVA who  
16 owned the vehicle he was driving and NAVA replied it belonged to his girlfriend and that  
17 he had borrowed it two days earlier. Officer Bosquet asked NAVA if he left his girlfriend  
18 stranded and NAVA did not respond.

19

20          Officer Bosquet inspected the glove box and found it to be empty, he checked  
21 the rest of the vehicle and noted the gas tank appeared tampered with. He hit the tank  
22 and noted it was unusually solid. Officer Bosquet decided to walk NAVA and the  
23 vehicle into secondary for further inspection.

24

25          In secondary inspection, Officer A. Garcia utilized his K-9 "Toos" in a search of  
26 the vehicle driven by NAVA. K-9 Toos alerted to the trunk and rear seat area of the  
27 vehicle. Officer Bosquet inspected the area and located a non-factory compartment  
28 within the dashboard and another one located between the gas tank and the floor

1 beneath the backseat. A total of 28 packages weighing a combined total of 52.90 kilos  
2 were discovered in these compartments. Officer Bosquet field tested one of the  
3 packages and it tested positive for marijuana.

4

5 Special Agents (S/A) Don Webster and Chris Miller interviewed NAVA. S/A  
6 Webster read NAVA his constitutional rights per Miranda, in Spanish, with S/A Miller  
7 present. NAVA orally waived his rights, as well as signing the written waiver of rights,  
8 agreeing to make a statement.

9

10 NAVA admitted knowledge of controlled substances within the Acura. NAVA  
11 stated that he was to be paid \$1000.00 U.S. to drive the controlled substance laden  
12 vehicle across the International Border and park it at a gas station.

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29